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RCE + IDS

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C.§ 132, effective on May29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).

Application Number	10/681,424
Filing Date	October 8, 2003
First Named Inventor	Giselher Herzer et al.
Group Art Unit	1742
Examiner Name	John P. Sheehan
Attorney Docket Number	P99,2335-02

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: *37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA.* See *Changes to Application Examination and Provisional Application Practice,* Final Rule, 65 *Fed. Reg.* 50092 *(Aug. 16, 2000);* Interim Rule, 65 *Fed. Reg.* 14865 (Mar. 20, 2000), 1233 *Off. Gaz. Pat. Office* 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

iii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other _____

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2. Miscellaneous

a. ☐ Suspension of Action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) **required)**

b. ☐ Other _____

3. Fees The RCE under 37 C.F.R. § 1.114 when he RCE is filed.

a. ☐ The director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 501519.

i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☐ Extension of time fee (37 C.F. R. §§ 1.136 and 1.17)

iii. ☐ Other _____

b. ☒ Check in the amount of **$790.00** enclosed

c. ☐ Payment by credit card (Form PTO 2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	STEVEN H. NOLL	Registration No. Attorney/Agent)	29982
Signature	Steven H. Noll	Date	October 10, 2006

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, MAIL STOP RCE, P.O. BOX 1450 Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	STEVEN H. NOLL		
Signature	Steven H. Noll	Date	October 10, 2006

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